

REMARKS

Claims 1 - 11, 19 - 22 and 26 remain active in this application and have been allowed. Non-elected claims 12 - 18 and 23 - 25 have been canceled. No new matter has been introduced into the application.

Acceptance of the formal drawings filed August 21, 2003, is noted with appreciation.

The current office action purports to close prosecution other than for formal matters and to set a non-extendable one-month period for response. It is respectfully noted for the record that close of prosecution other than for formal matters appears to be essentially a procedure under Ex parte Quayle for which a two-month extendable period for response is well-established procedure although such procedure is not indicated in the current office action. Therefore, it is respectfully submitted that the period set for response is procedurally irregular and, should any issue remain upon consideration of this response, it is respectfully requested that the period for response be reset to provide suitable opportunity for a further response and to avoid any question of abandonment of the application.

The Examiner has adhered to a requirement for restriction and required cancellation of non-elected claims 12 - 18 and 23 - 25 which has been done, above. However, the Examiner's attention is again called to the previously filed traverse of this requirement which requested clarification of the requirement for restriction on the record. Such clarification has not been provided in the current office action and the request for the same is respectfully repeated. Further, the Examiner was contacted by the undersigned in regard to this matter and was assured that such clarification on

the record would be forthcoming in the next office action.

The Examiner has objected to page 48 of the application as not fitting the page and required correction. This objection and requirement were not understood from the current office action. Therefore, the undersigned contacted the Examiner by telephone and was informed that the official file copy of page 48 was reduced in size and oriented diagonally on the page, possibly indicating an error or mutilation in scanning the page, as originally filed. The Examiner informed the undersigned that submission of a clean copy of the page would be considered fully responsive to this objection and requirement. Accordingly, a clean copy of page 48 as originally filed is attached to this response and acceptance and substitution of the copy for the mutilated page 48 in the official record of this application is respectfully requested. Accordingly, it is respectfully submitted that the attachment of this copy of page 48 is fully responsive to render this objection and requirement moot.

Since all objections and requirements contained in the outstanding official action have been fully answered, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b) and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is, on the record, in *prima facie* condition for allowance and such action is therefore respectfully requested. If, upon such reconsideration, any issue is seen to remain, it is respectfully requested that the Examiner contact the undersigned by telephone at the number provided below in order to expeditiously resolve the same.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 09-0457 of International Business Machines Corp. (Endicott).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marshall M. Curtis", with a stylized flourish at the end.

Marshall M. Curtis
Reg. No. 33,138

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Attachment:

Copy of page 48 of the application as originally filed